

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA §  
VS. § ACTION NO. 4:20-CR-269-Y  
ERIC PRESCOTT KAY (1) §

ORDER MODIFYING JULY 28, 2021 ORDER  
PARTIALLY GRANTING OPPOSED MOTION TO CONTINUE

In an order filed on July 27, 2021, the Court partially granted Defendant's Opposed Motion to Continue Trial and Extend Deadlines (doc. 27). The motion requested a continuance of "at least 60 days" from the then-pending August 16 trial setting. The Court partially granted the motion, but only continued the trial to October 4, as requested by the government. At that time, the Court presumed that the trial would be completed within one week. The Court's staff has been informed by counsel for the government, however, that its case in chief will last between six to eight days. The judge presiding over this case will be out of state over the Columbus Day holiday week, which is the week following the week of October 4. As a result, the Court concludes that the original July 27 order granting Defendant's motion to continue should be and hereby is MODIFIED to reflect that Defendant's motion is GRANTED, and the trial of this cause is CONTINUED until **1:30 p.m. on Monday, November 8, 2021**. The pretrial conference is CONTINUED until **3:00 p.m. on Thursday, November 4**.

The scheduling order previously issued in this cause is hereby MODIFIED as follows:

- (1) the deadline for filing witness and exhibit lists is EXTENDED until **November 1**; and
- (2) the deadline for exchanging exhibit notebooks is EXTENDED until **November 4**.

SIGNED August 26, 2021.

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE